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14 August 2008

By Facsimile Only  
Facsimile No. 0011 1 571 273 8300

Attention: Fenn C. Mathew, Art Unit 3764

Dear Sirs,

Re: U.S.A. Patent Application No 10/516509  
National Phase of PCT Application No PCT/AU03/00698  
Leg exercise device  
Our Ref: 3703

I write in response to the Official Action mailed on 15 April 2008.

Firstly an extension of time form SB/22 and credit card authorisation for the fee of \$65.00 is attached.

The examiner has objected that the invention as claimed in claims 33, 36 to 51 and 55 to 57 is unpatentable in view of Levine in view of Hribar.

The examiner has stated:

"While the chambers of Hribar may not be separate in the spirit of Applicant's invention, however, as broadly read, they do meet the claimed language. Applicant has not claimed separately sealed chambers. In light of the lack of such a limitation, the element 7, although intended to prevent pillowing, nonetheless creates separate chambers." (Underlining added by me).

A new claim set is presented in which claim 33 has been amended to define separately sealed chambers. More specifically claim 33 now defines "two first separately sealed variable volume chambers" and "two second separately sealed variable volume chambers". The remaining claims are unchanged.

With these limitations, the device of Hribar no longer provides the chambers as defined by claim 33 and claim 33 is believed to be allowable.

The remaining claims are dependent on claim 33 and so are also allowable.

Two typographical errors in claim 1 have also been corrected.

I look forward to receiving a notice of allowance.

Kind regards,



Vimala Sarma

3703-21.doc